

IN THE UNITED STATES DISTRICT COURT

* FOR THE DISTRICT OF DELAWARE *

CURTIS M. COLLINS

v

WARDEN RICK KEARNEY ET AL * CIVIL ACTION

SERGEANT JAMES CHANDLER *

05-739-SLR

BRADLEY BEREZANSKY *

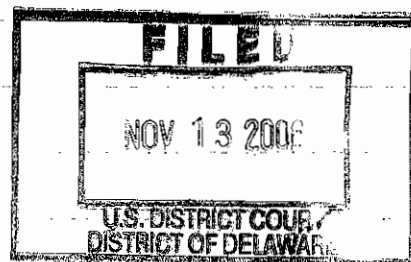
JEFFREY DAWSEY *

IRVIN JOHNSON ✓ *

MICHAEL MELLERGAN *

NURSE HELEN WHITLEY *

DR. ROBERTA BURNS *



* MOTION FOR EVIDENTRY *

* HEARING *

COMES NOW THE PLAINTIFF CURTIS M. COLLINS RESPECTFULLY REQUESTING THIS HONORABLE COURT TO GRANT PLAINTIFF AN EVIDENTRY HEARING FOR THE FOLLOWING FACTS AND GROUNDS. (1) ON THE DEFENDANTS SERVED A COPY OF THREE ANSWERS, CLAIMING THAT IN THREE ANSWERS CORRECTIONAL OFFICER WAS NOT WORKING IN THE CHOW HALL AT SIX ON 8-6-05 THE PLAINTIFF ASSETS AND IT IS A FACT THAT % IRVIN JOHNSON DID WORK IN THE BUILDING THE DAY AND TIME OF THE BRUTAL ASSAULT ON THE PLAINTIFF IT IS A "FACT" THAT AFTER THE ASSAULTS AND CAPSTUNING OF THE PLAINTIFF % DID PERSONALLY TAG BAGS OF THE PLAINTIFF PERSONALS AND CLOTHING (SEE THE, ATTACHMENTS P³) (2) ON THE 8-6-05 THE PLAINTIFF ASSETS THAT % MELLERGAN WAS THE DEFENDANTS WHO HELP WITH THE HANDCUFFING OF THE PLAINTIFF THE PLAINTIFF REQUESTS THAT THIS HONORABLE COURT ORDER THE DEFENDANTS TO PROVIDE THE PLAINTIFF WITH A COPY OF THE M.S.B. GREEN

IN THE UNITED STATES DISTRICT COURT * OF DELAWARE *

STAY IN LOG BOOKS AT THE M.S.B. ON 8-6-05

(3) FINALLY BECAUSE THERE IS NO WAY THAT THE PLAINTIFF CAN PROVIDE THIS COURT WITH PHOTOS OR PICTURES OF THE TWO DEFENDANTS STATED IN THIS MOTION OR PROVIDE THIS COURT WITH PHOTOS OF THE ASSAULT AND CAPSTUNING OF THE PLAINTIFF ON 8-6-05 THE PLAINTIFF ONLY CAN STATE FOR THE COURT RECORDED'S EYE WITNESS TRUST WORTHY EVIDENCE OF THE WHO HE SAW AND WHAT HE SAW THE DAY AND TIME OF THE ASSAULTS AND CAPSTUNING. (4) WHEREFOR THE PLAINTIFF ASK THIS HONORABLE COURT TO ORDER THE DEFENDANTS TO PROVIDE A LIST OF ALL OF THE CORRECTIONAL OFFICERS WHO TOOK PLACE IN HANDCUFFING AND CAPSTUNING OF THE PLAINTIFF ON 8-6-05 ALSO THE PLAINTIFF RESPECTFULLY ASK THIS COURT TO ORDER THE DEFENDANTS TO PROVIDE THE PLAINTIFF WITH A LIST OF THE SUSSEX COUNTY Q.R.T. WHO RESPONDED AT M.S.B. BUILDING THE DAY AND TIME THE PLAINTIFF WAS ASSAULT AND CAPSTUNING. THE PLAINTIFF REQUESTS THAT THIS HONORABLE COURT WITH ORDER THE DEFENDANTS TO PROVIDE THE PLAINTIFF WITH A COPY OF THE SUSSEX COUNTY MAXIMUM SEC/ B.L.D.G GREEN LOG BOOK ON THE DATE AND TIME OF THE ASSAULT AND CAPSTUNING OF THE PLAINTIFF

5) THE PLAINTIFF ASSENTS THAT IF THIS EVIDENCE HEARING IS GRANTED THE PLAINTIFF CAN PROVIDE THIS HONORABLE COURT WITH FACTS, AND NOT JUST HIS TRUST WORTHY EYE WITNESS TESTIMONY

* CERTIFICATE OF SERVICES *

CURTIS M. COLLINS hereby CERTIFY THAT ON
10-8-06 I CAUSED A TRUE AND CORRECT COPY
OF THE ATTACHED MOTION FOR EVIDENTRY HEARING
WAS HANDLED TO A D.C. US MAILBOX SYSTEM
TO BE FORWARDED TO:

DEFENDANTS
1ST COUNSEL
ERIKA TROSS
ATTORNEY GENERAL
OF DEL / DEPT OF JUSTICE
CARVEL STATE BLDG
820 N. FRENCH ST
WILM / DE
19801

(CLERK) PETER T. DALLCO

UNITED STATES DISTRICT COURT
OF DELAWARE BOX 18
844 N. KING ST
WILM / DE / 19801

INMATE

RESPECTFULLY SUBMITTED

CURTIS M. COLLINS SBI 314
DEI / CORR / CENTER

1181 PADDOCK RD.

9477

28

Disciplinary#
5183

SCI Sussex Correctional Institution

Date: 08/06/2005

PO Box 500

GEORGETOWN DE, 19947

Phone No. 302-856-5280

DISCIPLINARY REPORTDisciplinary Type: Class2Housing Unit: MULTI-SECURITYIR#: 11021

SBI#	Inmate Name	Inst. Name	Location Of Incident	Date	Time
00314128	Collins, Curtis M	SCI	MULTI-SECURITY	08/06/2005	07:15

Violations: 2.13/200.111 Possession of Non-Dangerous ContrabandWitnesses: 1. Gosnell, William ✓ 2. Johnson, Irvin ✓ 3. N/A**Description of Alleged Violation(s)**

On The Above Date And Approximate Time I, Cpl W. R. Gosnell Did Find Curtis Collins 00314128 In Possession Of Two Altered Items: One Sweat Shirt With The Sleeves Cut Off And One T-Shirt With The Sleeves Cut Off.---Eor---

Reporting Officer: Gosnell, William R (CO Corporal/Sgt. - Large Inst.)**Immediate Action Taken**Immediate action taken by: Gosnell, William R -CO Corporal/Sgt. - Large Inst.

Confiscated And Turned Over To Lt. J. Payne

Offender Disposition DetailsDisposition: N/ADate: N/ATime: N/ACell secured? NoReason: N/ADisposition Of Evidence: Confiscated And Turned Over To Lt. J. PayneReceived, Reviewed &
Approved**Approval Information**Approved: ☒ Disapproved: ☐ Approved By: Johnson, Joseph H (Staff Lt./Lt)

AUG 06 2005

Comments: Smt To Lt. J Isaacs

Watch Commander

Signature JH**Shift Supervisor Details**

Date Received:

Time:

Received From: **Shift Supervisor Determination:**

- ☐ Upon reviewing this Disciplinary Report, I conclude that the offense may be properly responded to by an immediate revocation of the following privileges(see reverse side) for _____ hours not to exceed 24 hours)
- ☒ Upon reviewing this Disciplinary Report, I conclude that the offense would be properly responded to by Disciplinary Hearing

Joe Johnson

Johnson, Joseph H (Staff Lt./Lt)

I have received a copy of this notice on DATE: 8-9-05 TIME: _____ and have been informed of my rights to have a hearing and to present evidence on my own behalf. I understand, if found guilty, I will be subject to imposition of sanctions outlined in the Rules of conduct.

Preliminary Hearing
Officer:LT. Joe Isaacs

Offender:

Curtis Collins
Collins, Curtis M

MURRAY M. COLLINS
314128 UNIT C-W-3 # B.W.Bg 71A #

DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SMYRNA, DELAWARE 19977



MR. PETER T. DALLBO 'CLERK WANTED
STATES' DESTRUCTIVE COURT"
OF' DELAWARE' LOCKBOX 18 #
841 NOKONG ST WILM, DE
19801 # 3570



MAY 19801/3570